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TO AMEMBASSY SEOUL IMMEDIATE
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E.O. 11652: N/A
TAGS: PGOV, KS, US
SUBJECT: JUSTICE DEPARTMENT PRESS RELEASE ON DISCUSSIONS IN KOREA

FOLLOWING IS TEXT OF STATEMENT RELEASED BY JUSTICE DEPARTMENT AT 4:00 P.M. EST. OCTOBER 25

QUOTE: UNITED STATES JUSTICE DEPARTMENT REPRESENTATIVES SPENT 30 HOURS IN NEGOTIATION WITH KOREAN MINISTRY OF JUSTICE REPRESENTATIVES ON MONDAY. OCTOBER 17, THROUGH 2:00 P.M. THURSDAY, OCTOBER 20. DESPITE THESE EFFORTS. NO AGREEMENT WAS REACHED.

THE BASIC UNITED STATES PRINCIPLE OF NEGOTIATION WAS THAT THE UNITED STATES WANTED FULL INTERROGATION OF TONG SUN PARK, ON THE SUBJECT OF BRIBERY OF U.S. OFFICIALS. UNDER SUCH CIRCUMSTANCES AS TO ASSURE TRUTHFULNESS AND ADMISSIBILITY IN LATER U.S. TRIAL PROSECUTIONS.

THE BASIC KOREAN PRINCIPLE OF NEGOTIATION WAS THAT KOREA

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WANTED LIMITED INTERROGATION OF PARK THROUGH A KOREAN PROSECUTOR OR KOREAN COURT. ADDRESSING THE QUESTIONS TO HIM SUBMITTED BY U.S. PROSECUTORS WHO COULD BE PRESENT BUT COULD NOT QUESTION PARK DIRECTLY. THE KOREANS OFFERED NEITHER ASSURANCES FOR TRUTHFULNESS NOR PROPOSALS FOR THE USABILITY OF EVIDENCE AT LATER CRIMINAL PROSECUTIONS IN THE UNITED STATES.

IN ACCORDANCE WITH THE PRINCIPLE OF NEGOTIATION, THE UNITED STATES PROPOSED IMMEDIATE INTERROGATION OF TONG SUN PARK IN A THIRD COUNTRY, IN THE PRESENCE OF KOREAN PROSECUTORS OR REPRESENTATIVES, AND SUBMISSION TO VERIFICATION, SUCH AS LIE DETECTOR AND VOICE STRESS TESTS, TO ASSURE TRUTHFULNESS. THE UNITED STATES FURTHER PROPOSED THAT IF SUCH INTERROGATION PRODUCED CREDIBLE EVIDENCE OF INDICTABLE OFFENSES BY U.S. OFFICIALS, PARK WOULD LATER APPEAR IN THE UNITED STATES FOR TRIAL TESTIMONY.

THE UNITED STATES PROPOSED THAT IF THOSE STEPS WERE FOLLOWED FAITHFULLY, THE UNITED STATES WOULD NEGOTIATE A SATISFACTORY PLEA AND LENIENCY POSITION IN PARK'S OWN

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CASE OR WOULD EVEN CONSIDER DISMISSAL OF THE INDICTMENT AGAINST HIM AND IMMUNITY FROM OTHER CRIMINAL PROSECUTIONS, EXCEPT PERJURY IN THE COURSE OF HIS TESTIMONY.
THE KOREANS INSISTED THE U.S. PROPOSAL WAS UNACCEPTABLE BECAUSE OF PARK'S OWN DETERMINATION NOT TO GO TO A THIRD COUNTRY OR RETURN TO THE UNITED STATES. THE KOREANS OFFERED TO HAVE PARK MEET WITH THE U.S. REPRESENTATIVES TO CONFIRM HIS UNWILLINGNESS TO LEAVE KOREA FOR ANY OTHER COUNTRY EVEN IN THE FACE OF THE U.S. PROPOSAL.
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U.S. REPRESENTATIVES PROPOSED THAT THEY MEET WITH PARK PRIVATELY FOR ONE HOUR AT THE UNITED STATES EMBASSY TO ASCERTAIN HIS ATTITUDE PERSONALLY AND TO PRESENT REASONED ARGUMENTS FOR AGREEMENT TO THE U.S. PROPOSAL. THE KOREAN REPRESENTATIVES REJECTED THIS PROPOSAL AND WOULD PERMIT ONLY A 30-MINUTE MEETING IN A HOTEL ROOM DESIGNATED BY THE KOREANS, IN THE PRESENCE OF KOREAN REPRESENTATIVES. U.S. REPRESENTATIVES MADE A COUNTER PROPOSAL WITH REGARD TO A BRIEF MEETING WITH PARK TO LEARN HIS VIEWS BY AGREEING TO THE PRESENCE OF KOREAN REPRESENTATIVES BUT INSISTING THAT THE MEETING BE AT THE U.S. EMBASSY. THE KOREAN GOVERNMENT REFUSED THE COUNTER-PROPOSAL.
AS AN ALTERNATIVE PROPOSAL FOR INTERROGATING PARK ABOUT PAYMENTS TO U.S. CONGRESSMEN, U.S. REPRESENTATIVES PROPOSED A SEPARATE EXTRADITION AGREEMENT BETWEEN THE UNITED STATES AND KOREA APPLYING ONLY TO TONG SUN PARK. THE KOREANS REFUSED TO DISCUSS THIS PROPOSAL.
THE U.S. REPRESENTATIVES STRESSED THE CRITICAL IMPORTANCE--TO THE INVESTIGATION, TO THE AMERICAN PUBLIC, AND TO KOREAN-UNITED STATES RELATIONS--OF OBTAINING TESTIMONY FROM TONG SUN PARK IN A MANNER AND METHOD WHICH WOULD ASSURE THE TRUTH AND PERMIT UTILIZATION OF EVIDENCE IN U.S. PROSECUTIONS.
THE KOREAN REPRESENTATIVES ATTACHED IMPORTANCE TO THE MATTER. DESPITE THIS, THE KOREANS INSISTED ON LIMITED, CONTROLLED, AND INDIRECT QUESTIONING ONLY. UNQUOTE
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